



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

May 21, 2021

BY ECF

The Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *United States v. Arthur Budovsky, et al., 13 Cr. 368 (DLC)*

Dear Judge Cote:

The Government respectfully submits this letter in response to the petition filed by Domingos Lugão Petroceli (ECF 464), seeking recovery of funds held in a Liberty Reserve account. The Government recommends that Mr. Petroceli submit a petition for remission, as explained below.

As the Court is aware, there was no restitution order entered in the above-captioned case. However, the Court did enter orders of forfeiture against defendants Arthur Budovsky (ECF 307, 361, 417, 439, 440, 445) and Vladimir Kats (ECF 375). As such, any individual who has suffered a specific pecuniary loss as a direct result of the crime underlying the forfeiture or a related offense may file a petition for remission with the Department of Justice. The federal regulations governing remission are found at 28 C.F.R. § 9. Among other things, the regulations require a petitioner to provide documentary evidence of a specific pecuniary (*i.e.*, monetary) loss and the date the loss occurred. Acceptable evidence of loss may include cancelled checks, receipts, and invoices. Not included in the loss amount are losses not supported by evidence, losses indirectly resulting from the underlying offense or a related offense, interest forgone, and collateral expenses (*i.e.*, attorney's fees and investigative expenses) incurred to recover lost property.

Attached hereto is a model petition for remission. After the petition has been completed and signed by the petitioner, it may be submitted to:

Christine Magdo
Assistant United States Attorney
US Attorney's Office for the Southern District of New York
1 St. Andrew's Plaza
New York, New York 10007
Email: christine.magdo@usdoj.gov

Once received, the United States Attorney's Office that prosecuted the case reviews the petition and makes a recommendation, but the ultimate decision regarding the grant or denial of the petition is made by the Money Laundering and Asset Recovery Section of the Department of Justice.

Respectfully,

AUDREY STRAUSS
United States Attorney

By: _____ /s/
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